

CITY COUNCIL MEETING
March 17, 1993

COMPLAINT REGARDING MR. MURPHY'S
UTILITY BILLING

CC-16
CC-51(d)

Cheryl Reinke, 420 Ravenwood Way, spoke regarding the item that had been removed from the March 3, 1993 agenda concerning a complaint received from Joe Murphy regarding his utility billing. Ms. Reinke feels his billing is in error and should be corrected. Further, Ms. Reinke informed the public that a Citizens Watch Committee has formed and anyone interested can call 367-8778.

Further, Mr. Joe Murphy, 1817 Amber Leaf Way, Lodi also spoke regarding the error on his billing and asked to have it looked into. Council directed staff to put this matter on for the next agenda.

CITIZENS WATCH COMMITTEE

(209) 367-8778

**CITIZEN'S WATCH says
THANK YOU
RAY DAVENPORT
for voting NO on the unfair
garbage rate increase.**

Phil Pennino voted "Yes"
for garbage rate increase
NO ☐ YES ☒

Randy Snider voted "Yes"
for garbage rate increase
NO ☐ YES ☒

Jack Sieglock voted "Yes"
for garbage rate increase
NO ☐ YES ☒

Steven Mann voted "Yes"
for garbage rate increase
NO ☐ YES ☒

Ray Davenport voted "No"
for garbage rate increase
NO ☒ YES ☐

Thank You Councilmember Ray
Davenport — You Have Our Vote!
Citizen Watch votes "Yes"
for Ray Davenport
NO ☐ YES ☒

Printed For By Citizens Watch Committee
420 Greenwood Way, Lodi

FOR YOUR INFORMATION:

THE ABOVE AD APPEARED IN THE LODI NEWS SENTINEL IN FEBRUARY, 1993. WE ARE A NEW GROUP OF CITIZENS WHO ARE FORMING. WE ARE NON-PARTISAN, NONPROFIT. OUR PURPOSE IS TO BE A COMMITTEE TO KEEP THE CITIZENS INFORMED ON WHAT OUR CITY STAFF IS DOING AND HOW OUR COUNCILMEMBERS VOTE ON ISSUES. WE INVITE YOU TO JOIN OUR COMMITTEE. WE ALSO APPRECIATE ANY DONATIONS TO HELP US WITH OUR COSTS. FOR MORE INFORMATION PLEASE CALL (209) 367-8778.

THANK YOU.

Display Device : H1
User : CHRIS

Utility Billing KWH Dollar Information KD Mode: INQUIRY

Activity Code:
Customer Name: MURPHY, JOSEPH M
Extra Name:
Account Number: 85.10-46.04

	Days	Off Peak	Partial Peak	Peak	Totals
JAN-93	34	\$149.15	\$.00	\$.00	\$149.40
DEC-92	(61)	\$72.75	\$.00	\$.00	\$72.89
NOV-92		\$31.93	\$.00	\$.00	\$32.00
OCT-92	29	\$23.70	\$.00	\$.00	\$23.75
SEP-92	30	\$33.78	\$.00	\$.00	\$33.85
AUG-92	29	\$37.39	\$.00	\$.00	\$37.47
JUL-92		\$31.47	\$.00	\$.00	\$31.54
JUN-92		\$24.16	\$.00	\$.00	\$24.21
MAY-92		\$28.88	\$.00	\$.00	\$28.94
APR-92		\$34.90	\$.00	\$.00	\$34.98
MAR-92		\$47.02	\$.00	\$.00	\$47.12
FEB-92		\$64.57	\$.00	\$.00	\$64.69
JAN-92		\$66.38	\$.00	\$.00	\$66.51

Cmd8=Averages

Select Screen:

Cmd9=Info Options

Cmd7=End

5738SS1 V2R2M0 920925

Print Key Output

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Page 1
02/02/93 12:58:13

Display Device : H1
User : CHRIS

Utility Billing KWH Usage Information KU Mode: INQUIRY

Activity Code:
Customer Name: MURPHY, JOSEPH M
Extra Name:
Account Number: 85.10-46.04

	Days	Off Peak	Partial Peak	Peak	Totals
JAN-93	34	1,263	0	0	1,263
DEC-92	51	675	0	0	675
NOV-92		345	0	0	345
OCT-92	29	256	0	0	256
SEP-92	30	365	0	0	365
AUG-92	29	404	0	0	404
JUL-92		340	0	0	340
JUN-92		261	0	0	261
MAY-92		312	0	0	312
APR-92		377	0	0	377
MAR-92		477	0	0	477
FEB-92		612	0	0	612
JAN-92		626	0	0	626

Cmd8=Averages

Select Screen:

Cmd9=Info Options

Cmd7=End

DILLON & MURPHY
CONSULTING CIVIL ENGINEERS

1820 W. Kettleman Lane, Suite E, Lodi, California 95242
P. O. Box 2180, Lodi, California 95241
(209) 334-6613 • Fax (209) 334-0723

February 25, 1993

FACSIMILE (209) 333-6795

Mr. H. D. Flynn
Finance Director
City of Lodi
221 W. Pine Street
Lodi, CA 95240

Re: Utility Bill Account No. 85.10-46.04

Dear Mr. Flynn:

I must respond to the letter you sent me dated February 23, 1993. My initial letter asked you to investigate some past utility billing problems. As you recall, my October/November bill (61 billing days) yielded 675 kilowatt hours while my December bill (34 billing days) yielded 1263 kilowatt hours. The reason for my concern was obvious, i.e. half as many days had twice as much electricity consumption.

read
First, you state that my meter was checked by the City. As I indicated in my meeting of February 23, 1993, with you, Tom Peterson, and Hans Hansen, the meter was tested by a technician using a "stopwatch method." By Mr. Hansen's own admission, this was an incorrect technique. I was improperly billed \$18.00 by the City for this test.

Secondly, you state you compared my bill with my immediate neighbors. This is a ridiculous comparison. In the same meeting of February 23, 1993, I informed you that I am the only single resident in my immediate vicinity and my home is the smallest home in my tract (Whispering Oaks). This is an unfair comparison as it would be if I were to ask you to compare my bill with a 600 square foot single person apartment!

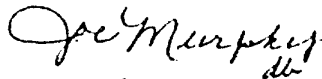
Thirdly, you stated you compared my billing history over the past three years. Again, as I have previously told you, I have not lived here three years. My only other December in this house was December of 1991. Comparing the previous resident's bill with mine is ridiculous, as there was a family of five people living in the house. You also state that December of 1992 was exceptionally cold. Was it four times colder than December, 1991, as my bill would indicate?

Mr. H. D. Flynn
February 25, 1993
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As you and Mr. Peterson stated in our February 23, 1993, meeting, you do not have the authority to adjust a billing error. You both advised me to seek judgment from the City Council which I am prepared to do on March 3, 1993.

Just a thought--if my bill were \$1,181 instead of \$181, would I still be required to go to City Council for adjustment? I think not!

Sincerely,

A handwritten signature in cursive script that reads "Joe Murphy". The signature is written in dark ink and is positioned above the printed name "Joe Murphy".

Joe Murphy

JM:db

cc: Mr. Philip Pennino
Mr. Jack A. Sieglock
Mr. Stephen Mann
Mr. Randy Snider
Mr. Ray Davenport

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

February 23, 1993

Mr. Joe Murphy
1817 Amber Leaf Way
Lodi, CA 95242

UTILITY BILL ACCOUNT #85.10-46.04

In response to your concern that the number of kilowatt hours you were charged at your residence in January is incorrect and inconsistent with your past history, I have gathered the following information for your consideration:

- . The electric meter was tested by the Electric Utility Department and found to be in working order;
- . I reviewed your electric bills over the last year, compared this information with your immediate neighbors and found nothing to indicate an error in your billing or the meter readings;
- . I compared your electric bills for December and January over the last three years with the bills of your neighbors and found your bills to be consistent with these neighbors considering you have an electric heat pump and the cold weather experienced in Lodi during December 1992 and 1990.

Accordingly, I have no basis to adjust your bill in whole or part. After extensive discussions with the Electric Utility Department and my Billing staff, I believe that you have been billed correctly. The bill is consistent with the use of an electric heat pump and the weather in December.

If you are unsatisfied with my research and decision, you may appeal to the City Manager.


H. D. Flynn
Finance Director

HDF:ss

DILLON & MURPHY
CONSULTING CIVIL ENGINEERS

1820 W. Kettleman Lane, Suite E, Lodi, California 95242
P. O. Box 2180, Lodi, California 95241
(209) 334-6613 • Fax (209) 334-0723

February 12, 1993

FACSIMILE (209) 333-6795

Mr. Dixon Flynn
City of Lodi Utility Department
221 West Pine Street
Lodi, CA 95240

Re: Utility Bill, Account No. 85.10-46.04

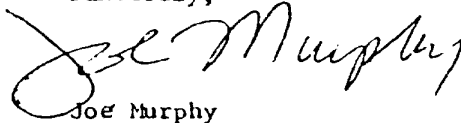
Dear Mr. Flynn:

Thank you for your advice based on our telephone conversation of earlier today. As I explained, my utility bill appears to be inaccurate based on my average consumptions over the past 1½ years. My past billing period of 61 days yielded a 675 KWH while the bill I am disputing had a period of 34 days and a usage of 1263 KWH! My seasonal average for a 30 day period is 600 KWH. I am glad you agreed with me that something must be wrong with my bill.

Per your request, I am suggesting my bill be adjusted to be consistent with my normal use for this time of year. I am sure you can see my concern and will act accordingly.

I am not paying the bill in question per Mr. Hansen's (City of Lodi Utility Department) suggestion, as he informed me that any late charges will be waived until this matter is resolved. I would appreciate your earliest response and solution. Thank you.

Sincerely,



Joe Murphy

JM:db